

CHUN, KERR, DODD, BEAMAN & WONG,
A Limited Liability Law Partnership

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FOODLAND SUPER MARKET, LIMITED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii)	CASE NO. 03-CV-00385 SOM/LEK
citizen,)	(Copyright)
)	
Plaintiff,)	DEFENDANT FOODLAND SUPER
vs.)	MARKET, LIMITED'S STATEMENT
)	OF NO POSITION ON DEFENDANTS
HAWAIIAN EXPRESS SERVICE,)	C&S WHOLESALE GROCERS INC.,
INC., et al.,)	C&S ACQUISITION LLC, C&S
)	LOGISTICS LLC, ES3 LLC AND
Defendants.)	RICHARD COHEN FOR AWARD OF
)	ATTORNEYS' FEES AND FULL
)	COSTS FILED MARCH 23, 2006;
)	CERTIFICATE OF SERVICE
)	
)	
)	[Non-Hearing Motion]
)	
)	

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DEFENDANT FOODLAND SUPER MARKET, LIMITED'S STATEMENT
OF NO POSITION ON DEFENDANTS C&S WHOLESALE GROCERS INC., C&S
ACQUISITION LLC, C&S LOGISTICS LLC, ES3 LLC AND RICHARD COHEN
FOR AWARD OF ATTORNEYS' FEES AND FULL COSTS FILED MARCH 23, 2006

Defendant Foodland Super Market, Limited, by its
attorneys, hereby states that it takes no position with respect
to Defendants C&S Wholesale Grocers Inc., C&S Acquisition LLC,

C&S Logistics LLC, ES3 LLC and Richard Cohen for Award of Attorneys' Fees and Full Costs, filed herein on March 23, 2006, pursuant to L.R. 7.4 of the Rules of the United States District Court for the District of Hawaii.

DATED: Honolulu, Hawaii, April 12, 2006.

/s/ Leroy E. Colombe

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